

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
NEWPORT NEWS DIVISION**

**LISA HOFSTRA,**

**Plaintiff,**

**v.**

**CIVIL ACTION NO.: 4:15-cv-73**

**DRUCKER & FALK, INC.**

**Defendant.**

**TIME FOR LEGAL SERVICES RENDERED**

June 22, 2015: Telephone conference and e-mail exchanges with referring attorney regarding Ms. Hofstra's potential FLSA claim. Initial telephone conference with Ms. Hofstra about her claim. Draft memo to file. Receipt and review of documents and e-mails from client regarding her claim. Telephone conferences and e-mail exchanges with client regarding the need for additional information to draft Complaint and begin drafting same.

**3.0 hours (Christopher C. North)**

June 22, 2015: Internet/State Corporation Commission search to locate Defendant information and registered agent.

**0.25 hour (paralegal)**

June 23, 2015: Draft e-mail to client to obtain additional information needed for her claim, including identity of managers and co-workers and specifics regarding time Plaintiff worked without any pay. Receipt and review of e-mail from client providing the requested information. Continue drafting Complaint. Telephone conference with attorney registered agent for Defendant.

**1.5 hours (Christopher C. North)**

June 24, 2015: Draft e-mail to client to obtain additional information needed for her claim. Receipt and review of e-mail from client providing the requested information regarding witnesses who can corroborate time worked through lunch and after work without pay, plus special projects and which managers were aware of the uncompensated time logged by Plaintiff. Continue drafting Complaint.

**1.0 hour (Christopher C. North)**

June 25, 2015: Receipt and review of Ms. Hofstra's more detailed statement of facts, names of co-workers and managers. Draft memorandum to file. Telephone conference with client.

**0.5 hour (Christopher C. North)**

June 26, 2015: Draft e-mail to client to obtain additional information needed for her claim. Receipt and review of e-mail from client providing the requested information. Continue drafting Complaint.

**0.5 hour (Christopher C. North)**

June 29, 2015: Finalize Complaint and e-mail copy to client for her review. E-mail copy of Complaint to opposing counsel requesting the parties enter into a tolling agreement. Draft Tolling Agreement. Draft e-mail exchanges with client regarding additional information pertaining to her claim.

**1.5 hours (Christopher C. North)**

July 1, 2015: E-mail exchanges with opposing counsel regarding tolling agreement and the proposed Complaint and his request for additional time to consider request.

**0.25 hour (Christopher C. North)**

July 6, 2015: Multiple e-mail exchanges with opposing counsel regarding tolling agreement. Receipt and cursory review of Plaintiff's time sheets sent by opposing counsel to determine what, if any, overtime Defendant paid Plaintiff and when.

**1.0 hour (Christopher C. North)**

July 6, 2015: Detailed review of Plaintiff's time sheets sent by opposing counsel and draft memo summarizing same.

**1.5 hours (paralegal)**

July 9, 2015: Receipt and cursory review of additional e-mail from opposing counsel containing more of Ms. Hofstra's time sheets. Draft memorandum to file regarding results of the review. Forward timesheets to client for her review. Receipt and review of multiple e-mail exchanges with client regarding the time sheets and clarification of same.

**1.0 hour (Christopher C. North)**

July 9, 2015: Detailed review of additional timesheets sent by opposing counsel and draft memorandum to file summarizing same.

**1.5 hours (paralegal)**

July 10, 2015: Review of e-mail from client with additional facts. Telephone conference with opposing counsel and draft demand letter. Confer with client.

**1.0 hour (Christopher C. North)**

July 13, 2015: Finalize and file Complaint.

**0.5 hour (Christopher C. North)**

July 13, 2015: Prepare Clerk cover letter, Civil Cover Sheet and Summons to file Complaint.

**0.5 hour (paralegal)**

July 16, 2015: Review of e-mail from client providing additional information.

**0.25 hour (Christopher C. North)**

July 22, 2015: Telephone conference with opposing counsel regarding demand and draft demand letter. Draft memorandum to file. Confer with client.

**0.25 hour (Christopher C. North)**

July 23, 2015: Draft, revise and finalize demand letter to opposing counsel. Multiple e-mail exchanges with client regarding facts of her claim.

**0.5 hour (Christopher C. North)**

July 23, 2015: Prepare Complaint for service and draft cover letter to Hester Process Servers.

**0.25 hour (paralegal)**

August 19, 2015: Receipt and review of Defendant's Answer and Financial Disclosure Statement. Make list of defenses that Plaintiff should move to strike if not withdrawn by Defendant. Telephone conference with opposing counsel regarding Defendant's \$5,000.00 offer and e-mail client regarding same.

**0.75 hour (Christopher C. North)**

August 19, 2015: Conduct internet research and obtain and review client's paystubs to determine proper Defendant and provide information found to Mr. North for his review.

**0.5 hour (paralegal)**

September 3, 2015: Receipt and review of offer of judgment by Defendant; E-mail client discussing pros (no release to sign and attorney's fees extra) and cons (amount too low). Brief legal research regarding Rule 38 offers.

**1.5 hours (Christopher C. North)**

September 15, 2015: Follow up conferences with client regarding offer of judgment and related issues regarding substance of her FLSA case and fact if offer of judgment rejected and we settled later, the Defendant would undoubtedly require a general release, negating her ADA and FMLA cases, but if she accepted offer of judgment this issue is avoided; draft memorandum to file. Confer with Erika Winter, client's ADA/FMLA attorney, regarding all three cases.

**2.0 hours (Christopher C. North)**

September 16, 2015: Telephone conference with client regarding rejection of offer of judgment; draft Interrogatories, Request for Production of Documents, 30(b)(6) Deposition Notice and three individual party Deposition Notices; revise 30(b)(6), Interrogatories and Request for Production; finalize 30(b)(6), Interrogatories and Request for Production of Documents.

**3.0 hours (Christopher C. North)**

September 17, 2015: Travel to, wait for, participate in and travel back to the office from Initial Pre-trial Conference in Norfolk; confer with opposing counsel.

**2.0 hours (Christopher C. North)**

October 2, 2015: Receipt and review of Defendant's objections to Plaintiff's discovery and draft memorandum to file.

**0.5 hour (Christopher C. North)**

October 15, 2015: Email Defendant's counsel about status of Defendant's discovery responses.

**0.25 hour (Christopher C. North)**

November 16, 2015: Telephone call to Defendant's counsel about status of Defendant's discovery responses.

**0.25 hour (Christopher C. North)**

November 24, 2015: Research whether failure to provide a reference can constitute retaliation under the FLSA and review cases.

**3.0 hours (William L. Downing)**

November 25, 2015: Legal Research and drafting memo to CCN re Refusal to provide reference as retaliation in federal employment cases (Title VII and FLSA)

**1.0 hour (William L. Downing)**

December 2, 2015: Legal Research re FLSA cases on refusal to give reference as retaliation. Also research on using Title VII, AEDA and FLSA and cases concerning other federal anti-discrimination employment cases as authority under one another statutes.

**4.0 hours (William L. Downing)**

December 3, 2015: Draft supplemental memo and email to CCN re FLSA retaliation - whether the refusal to provide any reference or confirmation of employment may support a FLSA retaliation claim.

**3.0 hours (William L. Downing)**

Research damages available for FLSA retaliation (emotional distress? punitive damages?) and draft memorandum to file.

**3.0 hours (William L. Downing)**

December 15, 2015: Phone call from CCN re motion to file amended complaint; Download ECF filings using PACER; Locate form motion, MIS and PO on computer (Manuel v WF and Heflin v KIA).

**1.25 hours (William L. Downing)**

December 17, 2015: Email to Chris/Kerry re Order granting Motion for Leave to file Amended Complaint

**0.25 hour (William L. Downing)**

December 22, 2015: Search CCN's emails for documentation to use in drafting Motion to Compel

**1.5 hours (William L. Downing)**

December 23, 2015: Draft Motion to Compel and MIS of MTC; scan exhibits, email all to CCN for his review. Review email from CCN saying that DS to provide answers by next week.

**2.0 hours (William L. Downing)**

January 4, 2016: Review CCN email re David Sullivan's failure to respond to discovery. Revise MIS of Motion to Compel. Look for Citations for input where suggested by CCN

**1.5 hours (William L. Downing)**

January 5, 2016: More revisions to Motion to Compel and MIS; more research for citations; draft CCN's declaration and the Proposed Order; scan new Ex 8 and Scan old Ex 8 as Ex 9; Draft email to CCN and send with all docs for his review.

**3.0 hours (William L. Downing)**

January 6, 2016: Review CCN's email with changes to MIS and his declaration. Made revisions and returned to CCN. Filed Motion to Compel and MIS.

**1.5 hours (William L. Downing)**

January 7, 2016: Review D's Answers to P's 1<sup>st</sup> Set of Interrogatories and draft memo re my comments to responses.

**2.5 hours (William L. Downing)**

January 14, 2016: Prepare mediation statement after file review and conference with client.

**3.0 hours (Christopher C. North)**

January 19, 2016: Review D's Response to P's Motion to Compel

**0.25 hour (William L. Downing)**

January 20, 2016: Additional preparation for mediation, including conference calls and emails with client.

**1.5 hours (Christopher C. North)**

January 21, 2016: Mediation in Norfolk, including travel to and from.

**7.0 hours (Christopher C. North)**

January 22, 2016: Legal research and prepare draft of Declaration and Joint Motion for court approval of settlement, which approval Defendant seeks.

**2.0 hours (Christopher Colt North)**

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<b>36.5 Hours @ \$350.00 per hour for Christopher C. North</b>	<b>\$12,775.00</b>
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<b>27.75 Hours @ \$350.00 per hour for William L. Downing</b>	<b>\$9,712.50</b>
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<b>4.0 Hours @ \$125.00 per hour for paralegal</b>		<b>\$500.00</b>
<b>Costs:</b>		<b>\$412.00</b>
<b>Filing fee</b>	<b>\$400.00</b>	
<b>Service of process fee:</b>	<b>\$12.00</b>	
<b>CURRENT BALANCE DUE .</b>		<b>\$23,399.50</b>